

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Joseph Ryan Griffin

Docket No. 4:12-CR-41-1H

Petition for Action on Supervised Release

COMES NOW C. Lee Meeks, Jr., U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joseph Ryan Griffin, who, upon an earlier plea of guilty to Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1)(A), Possession of a Stolen Firearm, in violation of 18 U.S.C. § 922(j), and two counts of Aiding and Abetting, in violation of 18 U.S.C. § 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on August 14, 2012, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Joseph Ryan Griffin was released from custody on November 30, 2016, at which time the term of supervised release commenced.

On December 18, 2017, the court approved a Violation Report agreeing to take no action after the defendant submitted to urinalysis that returned positive for illegal drug use, and was in arrears on his court indebtedness. Griffin was referred for substance abuse counseling as a result of the positive drug test.

On August 6, 2018, the court approved a Petition for Action on Supervised Release ordering the defendant adhere to a 30-day curfew with electronic monitoring after the defendant submitted to urinalysis that returned positive for illegal drug use. Increased substance abuse counseling was also recommended.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 8, 2019, the defendant submitted to urinalysis that returned positive for marijuana and cocaine. When confronted with the violation, the defendant admitted to the validity of the test results and reported he had not been attending substance abuse treatment as instructed. The defendant also expressed ongoing issues with anxiety/depression. As a result of the violation conduct, the probation officer is using cognitive behavior interventions to address Griffin's thinking.

On April 15, 2019, the probation officer attended a substance abuse counseling session with Griffin where it was recommended he participate in the Substance Abuse Intensive Outpatient Program at PORT Health Services in Morehead City, North Carolina. The defendant was also scheduled to meet with a doctor to address his anxiety/depression.

The defendant continues to reside with his grandmother and remains employed part-time with a tree trimming company. However, Griffin remains in arrears on the court indebtedness. The probation officer is continuing to pursue a garnishment order with the defendant's employer, and will continue to monitor the defendant's efforts to submit timely payments as instructed.

As a sanction for testing positive for illegal substances and not attending substance abuse counseling as instructed, the probation officer respectfully recommends the conditions of supervision be amended to include 30 days home detention with electronic monitoring. Additionally, in consideration of the defendant's financial status, it is recommended the government pay for the electronic monitoring services.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to their residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton

Robert L. Thornton
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.

C. Lee Meeks, Jr.
U.S. Probation Officer
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Executed On: April 23, 2019

ORDER OF THE COURT

Considered and ordered this 25th day of April, 2019, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge